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Comments on Bills 1053, 1060, and 7016

I am an education advocate who has worked with hundreds of families of children with disabilities throughout the state. I apologize for not providing testimony to the education committee before the hearing dates, but I learned of these bills too late.

I strongly support Bill 1053, An Act Prohibiting Out-Of-School Suspensions and Expulsions For Students in Preschool and Grades Kindergarten to Two. I have received numerous calls from parents of young children with disabilities saying that their children have been suspended out of school. Very often the behaviors are related to their disabilities, which means that they should not be penalized at all; and typically, the behaviors have been escalating over time. Districts should respond early by providing the teachers with appropriate support and training, but this often does not occur, perhaps because it would be an added expense for the district. Aside from the fact that removal from school does not change behavior, if districts cannot suspend or expel young students, this may encourage them to take action sooner to obtain the needed support, which will help our teachers and children.

I strongly support Bill 1060, An Act Concerning the Use of Restraint and Seclusion in Schools. Seclusion is traumatizing to students, is ineffective as a means of changing behavior, and should not be permitted to be a planned intervention as part of a student's Individualized Education Plan (which is currently permitted). In addition, I find that, when adults attempt to seclude a child, it is not uncommon for this to result in the student becoming out of control and requiring restraint, which risks injury to the child and the adults.

Regarding Bill 7016, An Act Implementing the Recommendations of the MORE Commission Special Education Select Working Group, I strongly support including paraprofessionals at Planning and Placement Team meetings (PPTs) upon parent request. Very often, the paraprofessional spends more time than any other school staff with the student, and their input is critical to decision-making. What currently happens is that the paraprofessional shares information with the special education teacher who shares information with the PPT. This is insufficient.

An additional, side concern is that, not only do Districts typically not permit paraprofessionals to attend PPTs, but many Districts restrict parent communication with paraprofessionals at all times, requiring that everything go through the special education teacher. Some paraprofessionals have told me that they are required to never speak with parents or risk losing their jobs, and unfortunately, I have no reason to doubt this. Bottom line: parents of children without disabilities typically are able to communicate with all staff working with their children; parents of students with disabilities need the same access.

A major concern with Bill 7016 is that it requires audits of private schools who receive state or local funds for special education. I would want more information about this prior to putting anything like that in the state statute. Although this may sound reasonable on the surface, my understanding is that we do not require independent audits of our public schools—which receive far more special education funding—and I am concerned that this section may be designed to discourage private schools from providing special education services. Some of the private schools are for-profit, and so not all expenses would be “allowable special education costs.” Some private schools provide additional supports to students, such as meals or even clothing, which are also not allowable special education costs. I wish that all public schools would provide the services needed to educate all students, but this is currently not the case. Private schools provide necessary services that districts are not able and/or are unwilling to provide. There are not many private schools that offer special education services, and approved schools are already overseen by the state department of education. Discouraging private schools from accepting students who are placed by their districts will harm students.

If you have any questions, please email or call me. My cell is (860) 992-5874. Thank you for your attention!